

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-PS-O-

RICHARD COLE, 93-R-0685,

Plaintiff,

-v-

JACQUELINE LEVITT, Doctor and
ARTHUR TURNBULL, Correctional Officer,
Wende Correctional Facility;

Defendants.

DECISION and ORDER
07-CV-0767S


Plaintiff, who is incarcerated in the Wende Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted. In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

SO ORDERED.

Dated: 01/21, 2008
Buffalo, New York


WILLIAM M. SKRETNY
United States District Judge